

Translation

PATENT COOPERATION TREATY

PCT/JP2003/009762



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 03-PCT-01	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2003/009762	International filing date (day/month/year) 31 July 2003 (31.07.2003)	Priority date (day/month/year) 01 August 2002 (01.08.2002)
International Patent Classification (IPC) or national classification and IPC C07D 231/20		
Applicant IHARA CHEMICAL INDUSTRY CO., LTD.		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.
3.	This report is also accompanied by ANNEXES, comprising: <ul style="list-style-type: none"> a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows: <ul style="list-style-type: none"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4.	This report contains indications relating to the following items: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand 23 February 2004 (23.02.2004)	Date of completion of this report 10 March 2004 (10.03.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ The international application as originally filed/furnished

☐ the description:

pages _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the claims:

pages _____, as originally filed/furnished

pages* _____, as amended (together with any statement) under Article 19

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the drawings:

pages _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-15	YES
	Claims		NO
Inventive step (IS)	Claims	1-15	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-15	YES
	Claims		NO

2. Citations and explanations

Document 1: US 5763359 A (Dow AgroSciences LLC), 09 June 1998

Document 2: F. HEIN et al., "Synthesis of N-(Perfluoro-t-butyl) pyrazoles from Hexafluoroacetone Azine by Trifluoromethyl Group Migration," J. C. S. Chem. Comm., 18, pages 792-793, 1979

Document 3: US 5536701 A (Monsanto Co.), 16 July 1996

Document 4: B. J. GAEDE et al., "Novel Perfluoroalkyl-Substituted Pyrazoles. 1. Hydroxypyrazoles," H. Heterocyclic Chem., 30 (1), pages 49-54, 1993

Document 5: B. C. HAMPER et al., "Cyclocondensation of Alkylhydrazines and β -substituted Acetylenic Esters: Synthesis of 3-Hydroxypyrazoles," J. Org. Chem., 57 (21) pages 5680-5686, 1992

Document 6: K. H. PARK et al., "Novel Migration of Aryl Group in Pyrazole Aryl Ether," Bull. Korean Chem. Soc., 17 (2), pages 113-114, 1996

Document 7: K. J. HWANG et al., "Substituent Influenced Alkylation of 3-Substituted 5-Hydroxypyrazoles: Claisen Rearrangement of 5-Allyloxypyrazoles," Heterocycles, 36 (6), pages 1375-1380, 1993

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Document 8: K. J. HWANG et al., "Synthesis and Antifungal Activities of 3-Trifluoromethyl-4-Allyl-5-Hydroxypyrazoles," Korean J. of Med. Chem., 2 (2), pages 122-126, 1992

Document 9: K. L. KEES et al., "New Potent Antihyperglycemic Agents in db/db Mice: Synthesis and Structure-Activity Relationship Studies of (4-Substituted bezyl) (trifluoromethyl) pyrazoles and -pyrazolones," J. Med. Chem., 39 (20), pages 3920-3928, 1996

Document 10: WO 02/062770 A1 (Kumiai Chemical Ind. Co., Ltd.), 15 August 2002

Claims 1-15

The inventions that are set forth in claims 1-15 are novel and involve an inventive step in relation to documents 1-10 cited in the international search report.

Documents 1-10 disclose compounds that are indicated as being "excluded" from the scope of the present international application, and it cannot be considered to be easy to conceive of the compounds that are set forth in the present international application by generalizing the disclosures that pertain to the compounds disclosed in any of these documents.